

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ABIMAEL ORTIZ FIGUEROA

DEBTOR

DLJ MORTGAGE CAPITAL INC.

MOVANT

Vs.

ABIMAEL ORTIZ FIGUEROA
JOSE RAMON CARRION MORALES

AS DEBTOR / TRUSTEE

CASE NO. 16-00280/BKT

CHAPTER 13

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**DEBTOR'S RESPONSE TO *MOTION FOR RELIEF FROM STAY*
FILED BY DLJ MORTGAGE CAPITAL INC, DOCKET #38**

TO THE HONORABLE COURT:

NOW COMES, ABIMAEL ORTIZ FIGUEROA, debtor, through the undersigned attorney, and very respectfully states and prays as follows:

1. On November 2, 2016, DLJ Mortgage Capital Inc., filed a *Motion for Relief from Stay*, docket #38, alleging that the debtor has accumulated post-petition arrears of \$3,505.35.

2. The debtor respectfully submits that on this same date November 15, 2016, he made one (1) \$3,505.35 payment to DLJ Mortgage Capital in order to cure any and all post-petition arrears owed to said secured creditor. Attached is copy of evidence of said payment made to DLJ Mortgage.

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3. Based on the above stated, the debtor respectfully submits that he is currently up-to-date with the direct post-petition payments to DLJ Mortgage and requests that the Court deny DLJ Mortgage Capital motion for relief from stay, docket #38.

WHEREFORE debtors respectfully request this Honorable Court deny the motion for relief from stay filed by DLJ Mortgage, docket #38, in the present case.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF filing system which will send notice of the same to: the Chapter 13 Trustee José R. Carrion Morales, Esq.; Natalia M. Batista-Vazquez, Esq., Attorney for DLJ Mortgage Capital Inc.; I also certify that a copy of this motion has been sent via US Postal Service to the debtor to her address of record.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 16th day of November, 2016.

/s/ Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
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TEL. 787 744-7699 FAX 787-746-5294
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 **BANCO POPULAR.**
PO Box 362708 San Juan, Puerto Rico 00936-2708
Cidra Mall

**OFFICIAL CHECK
CUSTOMER RECEIPT AND AGREEMENT**

Payee: SPS
SELECT PORTFOLIO
SERVICING

Check No. **103138600002670**

Date: 11/15/2016

Remitter: EILEEN COLLAZO-DIAZ

Amount: **\$3,505.35**
Fee: **\$10.00**
Total: **\$3,515.35**

386 PR33272 0037 11/15/2016 8:57 BankChecksATHC

NOTICE TO CUSTOMERS:

You usually cannot stop payment of the attached check after you send it to the payee. If it is lost, stolen, or destroyed, notify Source Bank immediately. You may be required to buy an indemnity or surety bond before a replacement or refund is issued.

Abigail Ortiz Figueroa